

a. Change the following items in the “Table of Dimensional Requirements”, Section 5.1 of the Ordinance:

In the TTF district, change the following:

- Lot Area per Dwelling Unit for “one family dwelling” to 6000
- Useable open space for “one family dwelling” to 500
- Lot Area per Dwelling Unit for “all other uses” to 4000
- Useable open space for “all other uses” to 500

In the TMF district, change the following:

- Lot Area per Dwelling Unit for “one family dwelling” to 4000
- Useable open space for “one family dwelling” to 500
- Lot Area per Dwelling Unit for “all other uses” to 4000
- Useable open space for “all other uses” to 500

b. Replace the first sentence of 5.2.6(1) with the following:

In all residential districts, the front wall of a dwelling structure (exclusive of porches and projections) may conform to the average setback of the front wall of the dwelling structures (exclusive of porches and projections) on the lots adjacent thereto on either side. In all residential districts, a front porch, as defined herein, may conform to the average setback of the front porches on the lots adjacent thereto on either side. In all residential districts, a projection, as defined herein, may conform to the average setback of the projections on structures on the lots adjacent thereto on either side. In no case may any part of the preceding provisions of this section be used to allow an existing building to extend nearer to any street line or building line that had been previously established on a given lot.

c. Under 5.1.7(1):

Remove the words “or parking areas”

d. Replace items 1 and 2 in the Table under 6.1.4 with the following:

6.1.4 Table of Parking Requirements. Off-street parking facilities shall be provided as follows. All requirements based on square footage refer to gross floor area unless otherwise noted. The shared parking chart identifies the percentage of the established required parking spaces that must be provided for each time period in shared parking situations.

					Shared Parking Chart					
	Zone	Min. Parking Req.	Notes		Weekdays 8AM-5PM	Weekdays 6PM- 12AM	Weekdays 12AM- 6AM	Weekends 8AM- 5PM	Weekends 6PM- 12AM	Weekends 12AM- 6AM
1. RESIDENTIAL USES										
a. Single-family detached dwelling occupied by not more than one family	Where Permitted	2 spaces per dwelling unit (du)	plus 2 spaces for each curb cut above one per 10 dwelling units		60	100	100	80	100	100
b. Two family attached or semi-detached dwelling	Where Permitted	2 spaces per du								
c. Multi-family dwelling including 3-6 units	DMU	1 space per du								
	<u>All other permitted zones</u>	<u>.75 spaces per bedroom or 2 spaces per du, whichever is greater</u>								
d. Multi-family dwelling including 7 or more units	DMU	1 space per du								
	<u>All other permitted zones</u>	<u>.75 spaces per bedroom or 2 spaces per du, whichever is greater</u>								
e. Townhouse Development including 3-6 units	<u>Where Permitted</u>	<u>.75 spaces per bedroom or 2 spaces per du, whichever is greater</u>								
f. Townhouse Development including 7 or more units	<u>Where Permitted</u>	<u>.75 spaces per bedroom or 2.2 spaces per du, whichever is greater</u>								
g. One or two dwelling units in a building with a legal non-residential use on the ground floor.	Where Permitted	2 spaces per du								
h. Senior Congregate Housing, including, but not limited to, assisted living facilities.	Where Permitted	1 space per du								
i. Non-family accommodations:										
1. Tourist home; Bed and	Where	1 space per room			70	100	100	70	100	100

					Shared Parking Chart					
	Zone	Min. Parking Req.	Notes		Weekdays 8AM-5PM	Weekdays 6PM- 12AM	Weekdays 12AM- 6AM	Weekends 8AM- 5PM	Weekends 6PM- 12AM	Weekends 12AM- 6AM
Breakfast Inn	Permitted									
2. Boarding or Lodging house, fraternity	Where Permitted	1 space per 2 beds			80	100	100	80	100	100
3. Dormitory	Where Permitted	1 space per 2 beds			80	100	100	80	100	100
4. Hotel	Where Permitted	1 space per room	Plus requirements for other uses, such as restaurant or lounge		70	100	100	70	100	100
5. Motel	Where Permitted	1 space per room			70	100	100	70	100	100
j. Boarding Room in Private Residence	Where Permitted	1 space per room			60	100	100	80	100	100

2. CONVERSION OF DWELLING STRUCTURE

a. Existing single family detached dwelling converted for not more than two families	Where Permitted	2 spaces per du			60	100	100	80	100	100
b. Other dwellings converted for more than two families	DMU	1 space per du			60	100	100	80	100	100
	All other permitted zones	<u>.75 spaces per bedroom or</u> <u>2 spaces per du,</u> <u>whichever is greater</u>								

e. Change Section 6.6 on Location and Layout of Parking, to read as follows:

6.1.6 Location and Layout of Parking Facilities. Unless otherwise allowed herein, required off-street parking facilities shall be provided on the same lot as the principal use they are required to serve, subject to the following exceptions:

5. In the UMU, TMU, INST and NB districts and for residential uses in the DMU district, all parking requirements may be met by leasing spaces in publicly-owned off-street parking facilities located within one thousand five hundred (1,500) feet of an entrance to the use.

6. In the UMU and UMF districts, *non-residential* parking requirements are reduced by fifty percent (50%) if a publicly-owned off-street parking facility is located within one thousand five hundred (1,500) feet of an entrance to the use. In the UMU and UMF districts, residential parking requirements may be reduced by as much as fifty percent (50%) if a publicly-owned off-street parking facility is located within one thousand five hundred (1,500) feet of an entrance to the use by special permit if the Planning Board finds that said public parking will accommodate the parking demands of the proposed project.

7. In the TMU, INST and NB districts, *non-residential* parking requirements are reduced by fifty percent (50%) if a publicly-owned off-street parking facility is located within four hundred (400) feet of an entrance to the use. In the TMU, INST, and NB districts, residential parking requirements may be reduced by as much as fifty percent (50%) if a publicly-owned off-street parking facility is located within four hundred (400) feet of an entrance to the use by special permit if the Planning Board finds that said public parking will accommodate the parking demands of the proposed project.

8. All non-residential uses in the DMU district are exempt from the listed parking requirements if a publicly-owned off-street parking facility is located within one thousand five hundred (1,500) feet of an entrance to the use.

f. Add new criteria for Use Special Permits as follows:

Under Section 4.2

After “as provided in Section 11.3, subject to” add “the provisions of Section 11.3.2 and 11.3.2a, as well as any” (in two locations)

Add new section 11.3.2a

11.3.2a Criteria for Special Permits in the Table of Uses.

For special permits sought under Article XII: Table of Uses of this document, the Special Permit Granting Authority will only grant a special permit to a project that is consistent with the goals of the City of Lowell Comprehensive Master Plan. A narrative must accompany each application and provide significant information to address how the project meets these goals. At minimum, the narrative must answer the following:

- A. Application to Master Plan:
 - 1. How does this project adhere to, apply, and promote the goals of the City of Lowell Comprehensive Master Plan? Successful projects shall identify specific connections to the goals of the Master Plan.
- B. Neighborhood Character:
 - 1. How does this project protect and enhance the character of the existing neighborhood? Successful projects should reflect the density, the urban design, the setbacks, height, and landscaping elements of surrounding buildings.
 - 2. How does this project provide for social, economic or community needs?
 - 3. Is the project consistent with the character, materials and scale of buildings in the in the vicinity?
 - 4. Does the project minimize the visual intrusion from visible parking, storage and other outdoor service area viewed from public ways and abutting residences?
- C. Environmental Issues:
 - 1. Does the project have any negative impacts on the natural environment?
 - 2. Does the project minimize the volume of cut and fill and the extent of stormwater flow and soil erosion from the site?
 - 3. Does the project minimize the contamination of groundwater?
 - 4. Does the project provide for storm water drainage consistent with the local regulations?
 - 5. Does the project minimize obstruction of scenic views?
 - 6. Does the project minimize lighting glare on abutting properties?
- D. Traffic, Access and Safety:
 - 1. How does the project address traffic flow and safety, including parking and loading? Does the project provide adequate parking for visitors to the residences? Will the project impact an area with significant on-street parking demand? Will the project require the loss of on-street public parking for driveway curb cuts?
 - 2. Does the project provide adequate access to each structure for fire and service equipment and adequate utilities?
 - 3. Does the project provide adequate and safe pedestrian and vehicle access through and around the project?
- D. Additional Impacts
 - 1. Are there any substantial impacts on public services and utilities?
 - 2. Does the project have any negative fiscal impact on the city, including impact on city services, schools, tax base, and employment?
 - 3. Does the project comply fully with the Zoning Ordinance, including parking, signage, landscaping, open space requirements, curb cut lengths and driveway widths?

g. Add new Regulation of Narcotic Detoxification and/or Maintenance Facilities as follows:

Section 2: Definitions:

Narcotic Detoxification and/or Maintenance Facility: A non-residential drug treatment program that assists individual addicted to drugs by administration of a substitute drug. Any facility that dispenses, prescribes, administers, allocates, delivers, hands out, or uses in any way a substitute drug, with or without providing other treatment services, shall be deemed a 'Narcotic Detoxification and/or Maintenance Facility' and subject to the regulations under section 7.7 of this ordinance.

Section 7.7: Narcotic Detoxification and/or Maintenance Facilities

- 7.7.1 Subject to the provisions of this Zoning Ordinance, Chapter 40A of the Massachusetts General Laws, and provisions of the Rehabilitation Act and the Americans With Disabilities Act, the City of Lowell zoning ordinance will not prohibit the location of a facility for narcotic detoxification or narcotic maintenance within the City of Lowell, but will instead regulate such facilities. A Narcotic Detoxification and/or Maintenance Facility should provide medical support, security, drug testing with oversight by a physician and standards that meet or exceed state regulations under 105 CMR 162. Facilities should not compete to provide streamlined care to patients and should not provide a location for patients to wait for treatment in the vicinity of children. Therefore, to ensure these facilities are located in such a way as to not pose a direct threat to the health or safety of the participants in the rehabilitation treatment or the public at large, the provisions of this section will apply to all such facilities.
- 7.7.2 A Narcotic Detoxification and/or Maintenance Facility will be treated as an institutional health care facility subject to the provisions of this Section 7.7 and as well as Section 12.3(k) of this Ordinance.
- 7.7.3 Where a Special Permit is required for a Narcotic Detoxification and/or Maintenance Facility, the Zoning Board of Appeals shall consider the provisions of Section 11.3.2 of the Ordinance, as well as the ability for the facility to:
- a. Meet a demonstrated need
 - b. Provide a secure indoor waiting area for clients
 - c. Provide an adequate pick up/drop off area
 - d. Provide adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals
 - e. Adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the facility, and its impact on neighboring uses. The Zoning Board of Appeals may require the applicant to provide a traffic study, at the applicant's expense, to establish the impacts of the peak traffic demand.
- 7.7.4 A Narcotic Detoxification and/or Maintenance Facility shall not be located:
- a. Within five thousand (5000) feet of another Narcotic Detoxification and/or Maintenance Facility, or,
 - b. Within seven hundred fifty (750) feet of a public or private elementary school, middle school, secondary school

h. Add a new section 9.4 as follows:

SECTION 9.4: NEIGHBORHOOD CHARACTER SPECIAL PERMIT

9.4.1 Any project in the TTF, TMF, TMU, UMF or UMU zoning districts where construction, exterior alteration, conversion or expansion of a structure or structures creates two (2) or more new dwelling units on a lot where at least one (1) dwelling unit existed on the effective date of this provision, whether or not such structure has been or will be subsequently demolished, shall require the following:

1. A special permit from the Planning Board, subject to the provisions of Section 11.3.2 and the provisions of Section 11.3.2a of this ordinance.
2. Site plan review, subject to the provisions of Section 11.4 of this ordinance.

The Planning Board must make a specific finding that such a project will enhance the character of the existing neighborhood.